THE VOSBURGH TRIAL

Chemical and Medical Expert Testimony on Antimony Poisoning.

MRS. VOSBURGH FOUND

Taken from This City to New Jersey Last Night.

The disappearance of Mrs. Vosburgh was the chief topic of discussion in Jersey City yesterday. The Sheriff found out the whereabouts of Mrs. Vosburgh during the day. On Wednesday morning she obtained \$4 from her husband. "She always did the marketing," said Mr. Vosburgh, "and she would say this or that amount will do me for to-day. After she left me yesterday she borrowed \$5 from Henry Windecker, the Fire Commissioner. That is all I know about her movements." A further inquiry showed that she left the house at half ist one o'clock in the afternoon of Wednesday. Mrs. Sickles had advised her not to leave and under-Hood that she consented to remain. She refused to some to the court that day, although asked to do so, and Mrs. Sickles, finding persuasion unavailing, left the pastoral residence and went to the Court House to report her uneasiness. When she returned Mrs. Vosburgh had gone. She took a Monticello avenue car to the Jersey City ferry, crossed to Desprosees street, walket up Canal street and took a Sixth avenue car to Thirty-second street. Here she stepped off and walked to No. 46, the house of Mrs. Flanders, sister of Mr. Vosburgh's mother. The house was so closely watched. however, that egress was impossible without being detected. No person was allowed to see Mrs. Vosburgh and Mrs. Flanders was greatly annoyed that her whereabouts was traced. Mrs. Vosburgh saw three friends from Bergen vesterday afternoon and stated that she would not return unless compelled to She said that her reason for leaving was that as the State did not choose to call her and a she was still attached to her busband despite his troubles her physical condition was unequal to the great strain the trial imposed on her. She stated furermore that she would not again appear in court during the present trial, but she would remain true to her husband till the last. Two New Jersey deputy sheriffs, aided by a detective of this city, had charge of the case.

Sheriff Laverty, positive of her whereabouts, called

at the residence of Mrs. Flanders last night with a posse and insisted on Mrs. Vesburgh's return to Jersey City. He was asked for his authority for the demand and he said though he had no requisition from the Governor he did not intend to return without her. He then told her that it would be better not only for ing that he would take her if she refused to go, she accompanied him despite the protest of her friends.

The trial was resumed sharply on time yesterday morning, but the Court remained in consultation for several minutes before the first witness was called "Where is Mrs. Vosburgh?" was the question floating throughout the court.

Let the next witness take the stand," said Judge Knapp, impatiently, and the defence called Deacon Miller, who testified as follows:-- I am acquainted with Dr. Cornell: had a talk with him about a written statement be made; he said that the Lord had enlarged Sickles' vision so that he could look through a keyhole; found a letter written by Sickles brought to my house by a little boy; it was read before the dea cons: Sickles acknowledged to

The letter was admitted and read as follows: -Deagon Miller -Dear Sin - The Doctor has ordered Mrs. Vosburgh home. We shall leave with her Ssturday morning, consequently I wish to meet the deacons or an prominent members you please to invite the Doctor at any place you may appoint to make a few explanations in reference to the mysterious manuer of Mrs. Vosburgh's sickness. Please inform me of time and place of meeting. I cannot meet you after to-morrow eventure. Vours, most respectfully. FEBRUARY 21, 1878.

Dr. J. J. Youlin, on being examined, said:-- I have been a physician twenty-five years; am a Commis-sioner of the Board of Health in this city; rheumatic gout is a disease caused by metastants or a transfer of rhoumatism from the joints to the stomach; it is caused by a poisoning of the blood; a thick milky white coating of the tongue may appear in many diseases; have never seen a scaly skin in cases such as you describe (Mrs. Vosburgh's case); never saw a case where n in the last degree of prestration lay on the side, except an infant; tartar emetic is used as a medicine in the homosopathic school; the thirtieth centesimal is as near nothing as I should wish to cal-

and explained on a sheet of paper the meaning of the thirtieth centes mal. "It would take turce sheets o paper to contain the required cyphers," said the Professor, "put down a unit with thirty cyphers to the

Ex-Governor Bedie-That is one-deciliionth. The Court-More than that

Judge Knapp made this remark to a vein of such nalecte, casting his eyes to the ceiling and throwing himself back in his chair, that the ex-Governor was

himself back in his chair, that the ex-Governor was prompted to reply, "Well, that is enough for the present," which provoked laughter.

The BATTES OF THE CHEMISTE.

Professor Morton was called. His testimony was as follows:—I have been a professor of chemistry in universities in Pennsylvania and am now President of the Stevens Institute, at Hoboken; there is no mystery in ascertaining the presence of antimony in fluids; it is a very simple problem, and any text book will give all the information necessary; have never seen a publication regarding the coils used in this case by Dr. Dorenus; there is no virtue in the coils, in my opinion; I received from Dr. Carpenter, on March 3, a bottle containing a floud taken from Mrs. Vesburgh's room and made an examination to see if it contained poison, as the doctor requested me; after a very minute analysis, I could not find the slightest trace of antimony after my experiment; but to make assurance doubly sare I made another test, taking care that all the vessels used by me were chemically clean; every test I made confirmed the previous ones, showing that not a trace of antimony could be found; my tests were as thorough as could be made; the only difference between my tests and those land down in the standard books is that mine were less showy and less vessels were used.

Just as the Professor's direct examination was concluded Professor between my restered the court.

Vessels were used.

Just as the Professor's direct examination was soncluded Professor Doremus, Sr., entered the court

"Here," said the District Attorney, as Professor Doremus whispered in his ear, "is one of the vessels used by Pr. Doremus in his experiments in this case tholding up a small curved tube resting on a wooden basel, do you call that a large and showy vessel? Dr. Doremus does not caim to have invented that." "Dr. Doremus may have invented many things," replied

Doremus may have invested many things," replied the winess.

The examination now became purely mechanical.

"Itual vessel which you show me," said the witness, "is used for the decomposition of water; it was invested some years ago for the purpose of testing horse medicines and was confined solely if not entirgly to vetericary purposes."

Dr. Darmus' voice now changed from a whisper in his excitement and the questions put through his medium, the District Atturney, were distinctly suddine. The battle raged fercely for more than half as hour, and at last in reply to a question evicently intended to arouse the witness he replied. "No, sir, I have never found antimony in tissue paper or street either."

Here the Court interfered. "I hope," said Judge Knapp, "that we are not dritting from the trial into a quarrel between two distinguished chemists. We do Ruspe, "that we are not driting from the trial into a quarrel between two distognished chemists. We do not propose to have their nifficulties, if any exist, set

Ex-Governor Bedle-That is a very proper remark

Ex-Governor Bedie.—That is a very proper remark of the Court.

The District Attorney then proceeded with the cross-examination and Professor Morton acknowleged that the less of passing antimonizated hydrogen through a tube containing sticks of caustic potash and obtaining a deposit of metallic antimony was new to him and not mentioned in any chemical book; that the flame reactions, especially those with todine and promine, were unknown to him, although some were published by funson; that they were introduced here for the first time in a toxicological case; that he had never analyzed the recretions of excretions of the human body.

Professional Explanations.

human body.

PROPRESIONAL EXPLANATIONS.

After Professor Morion left the witness stand Professor Dorents said, "Can I see you at recess?" to which Professor Morion repiled, "Gertainty, sir!" and when the Court announced a recess Professors Morion and Dorenus sat together, and the smutua explanations that followed swept away all traces of hostility.

hostility.

AFTER RECESS.

After recess Dr. Lyman B. Hill, of Cooperstown, N. Y., testilled as follows:—I was called to attend Mrs. Vocburgh in the spring of 1870 in regard to her taking

morphise.

The Attorney General objected and the Court inguired as to the relevancy of the testimony.

Ex-Governor Bedle and that the time had now strived in the case when, painful though it might be, sores should be opened and delicity set aside. It was the solemn auty of the counsel for the delence, inasmuch as the

prosecution had seen fit to introduce testimony that hr. Vesburgh had said his wife took morphise for an improper purpose, to prove the absolute truth of that

improper purpose, to prove the absolute truth of that last.

After some arguments on both sides the Court ruled that the testimony was toadmissible.

Dr. J. Craven examined, said:—I have been surgeon and medical director in the army for the district of Virginia and North Carolina; have been a physician twenty years; a physician is often compelled to poison a patient with antimony, as in case of a child having croup where antimony, as in case of a child having croup where antimony, the subtle monster, is often turned into a ministering angel; had a case of antimonial poison some years ago; if called immediately to attend a nation poisoned by antimony I would prescribe tannin, contained in tea; in a state of chronic poisoning by antimony it is impossible that the patient can recover immediately; the stomach and the nervous system must be carefully festered till they are gradually restored to their normal condition; nearly all the symptoms you describe from Dr. Cornei's testimony are natural and not peculiar to any particular complant.

mony are natural and not peculiar to any particular complaint.

On cross-examination the witness created more amusement than astonishment by his reply to the question in regard to the nature of gout, "I'm blessed if know; would not give much for a doctor that relies entirely on books; he can't carry them around in his wagon; a captain of a snip cannot carry his chart on the oridge."

The Court—i hope we are not going to navigate in this case. (Laughter.)

Mr. Winfield—the prosecution is already at sea. (Laughter.)

Dr. George P. Culver was examined in relation to

(Lacgater.)
Dr. George P. Cuiver was examined in relation to
the symptoms attending the administration of tartar
emetic.

metic.
The Sheriff entered about this time, and had a brief The Sheriff entered about this time, and has a vice consultation with the Attorney General, after which both left the Court and had a long conference in the Judge's room. Rimor was busy, but it leaked ent that the question at issue was the whereabouts of Mrs. Vosburgh. The Sheriff declined to suswor any questions on the subject, and the Attorney General gravely noded his head, saying, "I cannot tell anything just now." ing just now."
The Court at this point adjourned till this morning.

THE EMMA BETHEL CASE.

SUMMING UP AND GOING TO THE JULY. CAMPEN, May 23, 1878. When the Court of Quarter sessions hearing the case of Mrs. Bothel opened this morning the court

room and gallery were crowded to excess. SUMMING UP FOR THE STATE The Commonwealth's case was summed up by Prose. cutor Jenkins, who commenced by recting the law under which the defendant was tried, explaining that she were convicted the penalty would be for murder in the first degree. Two points he dwelt upon-Was Hannah Bishop poisoned? and who administered the poison? He contended that there were no recent discoveries that would rebut Professor Stephen's testimony, and that the defence had abandoued the plea that Mrs. Bishop died from natural causes. Mr. Jenkins read the testimony showing the various tests and the results, all proving the existence of arsenic. Taking the average weight of the liver to be forty ounces, the proportion of arsenic found in the liver alone was 1.99 grains of white arsenic, and besides this arsenic was found more or less in all the organs of the body. The history of the examination was gone through from the burial of the body of Mrs. Bishop to the exhumation, and the removal of the organs and their delivery to

burial of the body of Mra Bishop to the exhumation, and the removal of the organs and their delivery to Professor Stephens, and the attorney for the Commonwealth claimed that there was not a link wanting in the chain of evidence.

Who administered the proceeded to argue the second question, "Who administered the poison?" In his address he followed the defendant from Berlin, which she left on the light of April, to her mother's, to Miliville, then to Philadelphia, where she remained three days. When arrested she told her story to Mr. Clark, not until after the bodies were exhumed; but she did not then tell all. Counsel had great stress upon the faces that the defendant said at drat that Frank Willetts had got her to do it, and then, when she found it necessary to save herself she says that Frank Willetts did it. What motive had Frank Willetts did it. What motive had Frank Willetts did it. What motive had Frank Willetts to commit the deed? He was not floancishly embarrassed, and the property was only worth in air probably \$1,000. But Frank was not there during the last sickness of Mr. Bishop, and how did he poison him? Emma Bethel cooked the meals, and some tea was made which Mrz. Bishop drank alone and she was immediately taken sick. "The murder," said the counsel, "was well planned and beautifully executed, and no one could do it better than she. I never in my life saw a woman with more nerve, more coolsess, than she has shown in this court room." The counsel closed with the words that the desendant was a woman and had the sympathy of all men, but the law knows no sex when crime is investigated. What doubt you may have of the evidence must not be a fanciful one, but a real, substantial one.

when crime is investigated. What doubt you may have of the evidence must not be a fancilul one, but a real, substantial one.

Summing UP for the Defence.

The plea for the defence was opened by H. L. Slape. Complimenting the jury on their close attention he adverted to the projudiest that are fanned into like by the publicity of the case. He proceeded to scan the evidence and gave a history of the life of the defendant, and also of the affectionate relations between her and the Bisnops. He attacked the testimony of Professor Stephens, and said he was astonished that a man of his age and experience should be so criminally careless in making up his opinion, especially in a case of life and death. The counsel cited cases wherein experts were mistaken, and rested strongly on the value of chemical tests. He went through the several tests and attacked them in detail. He followed by asserting that a bunder had been made somewhere between the grave and Professor stephens' laboratory. It was suggested that the requisite care had not been exercised from the time of the exhauntion until the tests were made. Adverting to the evidence counsel criticised the testimony of the several witnesses for the Common wealth.

ON TRIAL FOR ARSON.

At Freehold, N. J., yesterday Charles Kavanagh was placed on trial to answer an indictment for argon lound against him by the late Grand Jury of Monmouth county. The indictment was lound on four separate counts, one of which charged him with having set dre to Commissioner Chamberlain's (of Long Branch) cornstaiks on January 2 last, another with having procured the burning of his barn on February 17 last, the third with arson and the fourth with conspiracy. The two brothers, Michael and Patrick Hynes, who were jointly indicted with Kavanagh, were present in court, and pleaded guitty to having burned corn-stacks and buildings belonging to Commissioner Chamberlain. They are to be used as witnesses against Kavanagh. John E. Lanning, Prosecuting Attorney, opened for the State, with William Allen and Charles Haight assisting in the prosecution, and ex-Judges Robbins and Beckman for the defence. ommissioner Chamberlain was the first witness sworn, and he testified to the burning of his cornstalks and stables. At the time the stables were

swith and stables. At the time the stables were burned they contained four horses, several vehicles and farming implements and feed, all of which were destroyed.

The second witness called was Patrick Hynes. He stated that he visited Kavanagh's house in November last and that while there Kavanagh spoke to him about setting fire to the property of Mr. Chamberlain and Mr. John Hoey; that on every occasion on which he and Kavanagh were together subsequently the latter always spoke about firing er burning some large belidings, and in one instance declared that "if the West Knd Hotel was burned down it would be a good job and make plenty of work around Long Branch." Although Hynes some time ago pleaded guilty to the burning of the barns and stake, he yesterday swore that as sat on the lone while Kavanagh set the stalks on lire. He stated that in setting fire to the barn Kavanagh got in through a small window and fired the straw uncer one of the horses, after having previously stolen and taken home some harness.

Judge Robbins then cross-examined the witness, and chiefled the fact that he had been discharged from Mr. Hoey's service in November last for being drunk, and in several instances be contradicted his regular examination. The case was adjourned until this morning.

FURIOUS MRS. JOHNSON.

Mrs. Anna Johnson, a colored lady, living at No. 240 East 121st street, is out during the day making money, while her husband, who is of a domestic ture, looks after the house. Mrs. Johnson has never suspected the latter, and on returning home on Wednes-Jealousy in its worst form took possession of the wife, and in a tone of authority she demanded "dat de door be opened." No answer was returned, and Mrs. Johnson broke it open. An agonizing scene met her gaze. Her recreant spouse seated upon a sofa was hugging and kissing a young white woman named Nelie Riker who lives in the neighborhood. The guity pair fled from the presence of the inorman wife, the husband escaping through an open window. When his paramour tried to follow Mrs. Johnson interrupted and sent her to the floor. A fearful scene of violence, which simost terminated in a murder, followed. Mrs. Johnson beat the woman with a power until the broad flowed. Then lifting the prostrato woman in her arms she carried her to the chirance and was about to fling her down the steps when Officer Cainane, who had overheard the disturbance, interfered and took both to the 126th street Station house. Neitle was soon after removed to the Nicety-mint Street Rospital. She whit recover, but will probably carry merks of the Mrs. Johnson broze it open. An agonizing She will recover, but will probably carry merks of the conduct to her grave. Mrs. Johnson was arraigned yesterday before Justice Wheeler, in the Hariem Po-lice Court. His Honor informed her that he coud not commit her and allowed her to depart on parole.

CANAL TOLLS.

The amount of tolls collected on the canals from May 15 to May 22 was \$1,341 37, an increase past week of \$529 21 over the corresponding week of last year. FALSELY ACCUSED.

THE SUIT OF MES. CARRIE R. DAVIS AGAINST JOHN DANIELL FOR TEN THOUSAND DOLLARS

DAMAGES. The suit of Mrs. Carrie R. Davis to recover \$10,000 damages from John Daniell, a Broadway merchant, for lainely accusing her of the their of a steel purse, causing her to be searched and keeping her under duress for about an hour in his store, was continued on trial yesterday, before Judge Van Hoesen and a jury, in Part 1 of the Court of Common Pless. The plaintiff was represented by Chauncey Shaffer and the defendant by B. F. Watson as counsel. The case attracted to court an unusually large audience of very respectable appearing persons of both sexes.

PLAINTIFF'S SPORY.

The plaintiff in the case, who had broken down or the previous day from nervous prostration, appeared in much better health, and was called to complete her testimony. Her evidence was in substance the same as that of her moth r, already given in the HERALD, store Daniell, the defendant, accompanied them to the door and expressed the hope that they would again visit his store, at the same time assuring them that they would always be well treated. Mrs. Davis replied that she would acver ugain enter his store,

rophed that she would never again onter his store, and that the clerk, William Davis, who had made the faise charge against her, had not acted the part of a gentleman from the beginning.

BER DOCTORS' TENTIMONY.

Dr. Frank Nichols, of Hoboken, the lady's attendant physician, and Dr. James W. Kanney, of this city, were called in succession to testify to the pinninti's state of health. They both concurred in the opinion that her present ill health was the rocult of the nervous shock which she received at the time of the act complained of in her complaint, and that but for those occurrences she would probably to-day be a well woman.

DEPENDANT'S VERSION.

that her present. Ill neaths was the rocalit of the act your shock which she rocalyed at the time of the acts complained of in her complaint, and that out for those occurrences she would probably to-day be a well woman.

DEPENDANT'S VERSION.

The case for the defendant was then opened by putting Mr. Daniell himsell on the witness stand. He denied the material facts on which the plantiff's action was based. His story was that on the day in question he was engaged in another part of his store when he was informed that there was found talking at the pocketbook counter. He went there directly and found Mrs. Davis and her mother, Mrs. Molougal. Both were excited, and when he was informed of the charge Mrs. McDougal requested that her aughter be searched. He replied no, that he would trust her line with all impocketbooks in the store. But is the store was crowded, and the after was creating some commotion, he told his superintendent, Mr. Millis, to take the ladies into the entry and "compose" them. The ladies turned toward the entry or passage way in company with the superintendent, and he went to the passage way and tound one of his seleswomen in the act of searching Mrs. Davis, and at once stopped it. As he turned to come out he met another saceswoman, named Goodwin, going it, and was informed by her that she knew Mrs. Davis, be a lady, and who attended the same church with the Plantid and her mother as to what they claimed he said in reference to the search and the expression that he did not care if she was the Queen of Ensland. He admitted that it was after the mother how the ladies came to be searched by his subordinates, after he had forbid den it. He donied that he had any one in his sore whose duty it was to search suspected parties, and asserted that he had any one in his sore whose duty it was to search suspected parties, and asserted that he had any one in his sore whose duty it was to search suspected parties, and asserted the plantiff and her mother as to when he way up to the store found the plantiff an

she looked down at her left hand and seemed to manifest surprise at discovering she had two parasols there; see said, "I forgot to put it back," and then returned with the officer to the store.

Mr. Albert C. Westhelmer next lestified. He had charge of a department in Altman's; he had seen the parasol the defendant had taken away; it was returned to him shortly affor the arrest, but by whom he could not say; the article had been in the store for some time; he had been notified to bring it to the examination, but was unable to do so, as it had been sold on the day indiagnage to return the description.

parasol the defendant had taken away; it was returned to him shortly after the arrest, but by whom he could not say; the article had been in the store for some time; he had been notified to bring it to the examination, but was unable to do so, as it had been sold on the day following its return; he knew it had been sold, for he had been present at the time, but did not know who sold it or who bought it, and besieved that no inquiries of his or examination of the entries would enable him to learn.

Mrs. Goles was then called on to testify in her own defence. She sain she resided at No. 37 West Twenty-seventh street; was the wife of Royal Coles, a leweller, now in Gleveland, Ohio; being afflicted with a spinal disease from her childhood, and also subject to dyspepsia, asthma and catarrh, she has been constrained to leave the lake shore during the wintermouths, as the climate does not agree with her, and locate in New York; she has been under almost constrained to leave the lake shore during the wintermouths, as the climate does not agree with her, and locate in New York; she has been under almost constrained to leave the lake shore during the wintermouths, as the climate does not agree with her, and locate in New York; she has been under almost constrained to leave the lake shore during the winter no heat of the street of the store of the street of the store of t

cor, that first brought to notice the injustice of the charge sgainst her.

When all the evidence had been produced yesterday the counsel for the prisoner made lengthy speeches, in which they denounced official insecurity and alluded to the possibility of any lady in the city being subjected to imprisonment and other penalties by a mistaken and injudicious zeal. They said that as the charges scalarst the lady had been public her exoneration at the hadds of the magniture should be as comprehensive and honorable as possible.

Judge Murray then closed the case and stated his

regret that such an unfortunate affair should occur during his sitting. He said that the naworthy conduct of the messanger should receive proper investigation, and invited the lady's counsel to co operate with him in seeing justice done. He then honorably acquitted Mrs. Coles and dismissed the complaint, on which her lady friends almost overwheimed His Houor with compliments and bore her away with them rejoleing.

LAURA JOYCE.

END OF THE TESTIMONY-THE JUDGE PROM-ISES TO ENTER A DECREE-ARGUMENTS OF COUNSEL IN SUMMING UP.

[BY TELEGRAPH TO THE HEBALD.] BOSTON, May 23, 1878. Whatever negotiations were attempted or overture of peace made since the recess in the Taylor-Taylor divorce case last Tuesday, it is certain that nothing came of them, for the belligerents appeared in coar this morning with none of their animosity abated and with a determination to fight the battle to the bitter end. The advice of Judge Lord to "kiss and make up" was not accepted, and the lawyers came in to-day smiling sweetly over the prospect of increased iees. It is well known, or at least generally believed, that the legal gentlemen household in their keeping, did not work very hard to effect a reconciliation, and that Laura's counsel in particular preferred to go on with the testimony, giving assurances to their clients of undoubted suc-

Mrs. Caroline P. Jennings, whose testimony was interrupted by the adjournment of the Court Monday night, was placed on the stand and her examination continued. Mr. Willard conducted the examination Witness testified :- At the time I saw Mrs. Taylor fall it was in the evening, about ten o'clock; I wore short tresses about the house because I could not afford to wear long ones to be worn out; I care no more for Mr. Taylor than I do for Mrs. Taylor, and I tell the truth for both; inever said that I knew things good or lawrable with regard to Mrs. Taylor and that I would not tell it at this trial; Mrs. Taylor was a good, kind woman to the servants; I was never promised any money to testify in this case by Mr. Taylor; I am not that kind of a woman to be bought and sold; I have got a soul to save, and Mr. Taylor can't save it by all the money in the world; Mr. Taylor can't save it by all the money in the world; Mr. Taylor can't save it by all the money in the world; Mr. Taylor said to me when we were coming into the Court House at Boston, "Speak the woth, all of ye," I have drunk a glass of beer when I would be up to two or three o'clock; I never drank more than one glass; I saw Mr. Nathaniel Childs in Mrs. Taylor's chamber one night when Mr. Taylor was away, and she wrote for him to come, too. In relation to the benofit to Mr. Cheney, Mr. Taylor was very hostile to his wite's playing a boy's part in "Black Eyed Susan." Mrs. Taylor said Mr. Taylor did not want her to appear in boy's clothing and make an exhotition of herself. She unally said she would take the part of Saman. In "King Turco" Mrs. Taylor's dress was a "shape" dress. The first time Mrs. Taylor appeared in that dress she appeared to be highly delighted and went acound exhibiting herself.

William T. W. Ball, who has figured a little in journaism with very scanty success, and who contributed as much as anybody else if not more to the failure of Mr. Cheney's enterprise in the Globe Theatre, was next called as an expert in drinking pirases.

Margaret Murpby was next called, and Mr. Willard, dresses about the house because I could not afford to

Initure of Mr. Cheney's enterprise in the Globe Theatre, was next called as an expert in drinking phrases.

Margaret Murphy was next called, and Mr. Willard, of counsel for livellant, objected to her testifying under the ordinary cath on the ground of her being a Catholic. "There have been Catholics on the stand before me," retorted the witness. The Court ruled that the administration of the ordinary cath was enough for the purposes of the law.

She testified:—Was a servant in Mr. Taylor's house; saw no intoxication in the bouse; have seen Mr. Taylor at the beach once when I thought he had been taking something; I heard that Mr. Taylor and Mr. Hastings were out in the tent drinking; there was a dispute between me and Mrs. Taylor calling for her mother, and the next thing Mrs. Maskell called out "girrs;" went up there and saw Mrs. Taylor sitting up in bed in her night dress; she told her mother that Mr. Taylor was troubling her, and wanted him to leave the room, and Mrs. Maskell said, "If you don't, there will be some noise;" Mr. Childs was making little notes of what Mrs. Taylor was saying about her being abused; see said she had not slept all night, as Mr. Taylor had been abusing her, and he asked her way she did not get up and sicep with her mother; once Mrs. Maskell got mad becase she heard us talking about Mrs. Taylor and be asked her way she did not get up and sicep with her mother; once Mrs. Maskell got mad becase she heard us talking about Mrs. Taylor and be asked her way she did not get up and sicep with her mother; once Mrs. Maskell got mad becase she heard us talking to Stewart, the coachman, at the time; Mrs. Maskell came in and asked what we were talking about her daughter so for, and the coacequence was that she got so enraged that we had some words and I lett.

John Stewart, Mr. Taylor's coachman, also testified. This finished all the evidence in the case, and Judge Thomas, Sr., counsel for libeliee, began his argument.

ingul of this occurrence, but it is insisted on the other such that his was only done because the husband of the plaintiff went to the store that atterance and threatened to seek refrees, and that all the disclessing amounted to was to transfer Davis to the employ of Dannei's triesed Many for mere appearance sake. The case is still on.

MRS. COLES ACQUITTED.

THE CHARGE OF SHOPLIFTING DISMISSED AND THE LADY'S CAPTORS DENOUNCED.

The CRAMGE OF SHOPLIFTING DISMISSED AND THE LADY'S CAPTORS DENOUNCED.

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The CHARGE

pleased. Mrs. Taylor inight have taken a small quantity of itquer, but all efforts to prove that she has habits of drunkenness failed. She was agood and taithful wife, and anousi have the custody of her child. At the close of Mr. Willard's argument Judge Lord said:—"Gentlemen, I do not propose to outer a decroe in the case to-day, but will make one nereafter; and I suppose the parties understand that if I dismiss the libel nothing further will be done, but if I grant the divorce the question of alimony and the custody of the child will still be open."

HOMICIDE IN BLOOKLYN.

The police of the Third precinct, Brooklyn, were informed yesterday morning that the body of a man named Edward Hughes had been found lying in a closes in the rear of the liquor saloon No. 187 Columbia street. The information was conveyed by Robert Groghan, who occupied apartments on the floor over the saloon. From the information gained by the po-lice it appears that the deceased, who was a dissipated lice it appears that the electased, who was a dissipated man, about thirty-seven years of age, visited the salood in question at nine o'clock on Wedesday evening, and being intoxicated, the bartender, Patrick Pitzpatrick, assaulted him, knocked him down, and flually ejected him from the store. He was bleeding from the mouth and nose at the time. It is supposed that after being turned into the street he made his way through the half to the closet in the rear where he died during the night. The prisoner when questioned by the poince admitted that he struck higghes and knocked him down, but said they were both under the influence of iquor at the time. A post mortem examination made by Dr. Stoppard revealed the lact that death resulted from compression of the brain following concussion causes entirer by a blow or Itali. There was a clot of blood between four and five onness in weight found on the brain, and the face was bruised by blows. Fatzpatrick was locked up to await the action of the Coroner's jury and Groghan was held as a witness.

DRUGGED BY STRANGERS.

A carriage was stopped at the main entrance to Believue Hospital on Wednesday evening last and i litted man who was unconscious was of the vehicle and carried into the effice by two men. After placing the patient in a chair they returned to the carriage and were rapidly driven off. A physician was called by the hospital attendants to examine the unconscious man. It was discovered that the nationt was suffering from the effects of polson. He was placed in a ward, where he was attended by Dr. McPhail, who admin where he was attended by Dr. McPhail, who administered emetics, which had the desired effect. The man
regained consciousness yesterday, and gave his name
as kopert D. Johnson and his residence as at Stamford,
Coan. When questioned as to why he took the poisen
he told his attendants that he went into a liquor store
yesterday and purchased a glass of beer, which he
drank, and from that time until he awore in the Bospital he was unable to state what had passed. His
memory was so affected by the drug that he was unable to remember where the iquor store was located,
it is believed that the poison was mixed with
the beer. Johnson soon recovered and last evening
left the hospital for his home. He gave his occupation as a machinist and said that until recently he
had been employed at the Cornell Iron Works.

PUBLIC NUISANCES.

Recorder Hackett's Rebuke to the Grand Jury.

THEIR DUTIES DEFINED.

The Board of Health Should Have Been Indicted, Not Examined.

In view of the recent developments as to the action of the Board of Health in having, as alleged, granted tories claimed to be nuisances, and the fact that the Grand Jury had summoned the President of the Board as a witness, it being rumored that there was a prospect of the Health Commissioners being indicted, Recorder Hackett, presiding to Part 1 of the Court of General Sessions, yesterday, took occasion to comment upon the subject.

When the Grand Jury came into court to hand up a

ment upon the subject.

When the Grand Jury came into court to hand up a batch of indictments, His Honor said:—

Mr. Foreman and Gentlemen—It has been communicated to me on reliable authority that you have felt it to be your duty to make an examination of President Chandler and some other witnesses on behalf of the Board of Husith. Learning this fac, it is my duty to inform you that you have gone beyond your duty. You have no right whatever to do this. I put it to you and to your common sense whether if a man is charged with burglary, larceny or murder, you are to ask him to say that he is not guitty? Is not that an act of superfluous nonsense on the part of anyman or number of men? You are to judge whether these men have committed a wrong upon evidence that shall be submitted to you. What they previously have done is the question for you to pass upon. Do you suppose that these men, siter they have suffered this state of things to exist for a year and a half or two years in this city, within the knowledge of half a million of people, will not try to excuse themselves? You are not try the lact whether these men are guilty or not. You are to say whether there is sufficient evidence in the case to justify you be finding that there is reasonable cause to believe that they have been guilty or wrong. So finding, it is your duty to leave to a petit jury the right to find out whether the case should be tried by the prosecution or the delence. I stanply call your attention to this fact because it is wonderful—I have never known of such a case—that where a man is charged with the commission of a crime you, the Grand Jury, should keep this matter to yourselves, and, allowing nouody but it the District Attorney to know of it, should invite these gentlemen to use every personal persuasion to induce you not to perform your duties.

The Law in the Case.

Gentlemen, I beg you to think of this. The law is

Gentiemen, I beg you to think of this. The law is so plain. You are only to hear evidence on behalf of the prosecution. Fie law from time immemorial—the English law adopted by us; any and all law in this case—is, that you have no right to invite these gentlemen to defend themselves and say that they are not guilty. They will have the time, if you are satisfied that they have issued those permits, to answer us to what they have done, and whether they shall be responsible for the wrong they have committed.

Mr. Amidon (to reman of the Grand Jury)—Would it Mr. Amidon (toreman of the Grand Jury) - Would it

be proper for me to make a statement? Recorder-Certainly, sir; 1 shall be happy to hear anything from you, gentlemen.

Mr. Amigon-I would state that the District Attorney or an Assistant District Attorney informed us we might call the defendant as a witness. We yielded to a strong pressure in this matter because—

The Recorder—I do not believe that any District Attorney can show any law which permits this to be done. It is, I think, a wrong. With the same sincerity that induced me to bring this matter before you, I say now what I consider the law, that you have no right to invite any man who has been guilty of wrong to testily before you.

Mr. Amidou—It was stated to us that cases had occurred where prisoners in the Tombs had been brought before the Grand Jury, and Assistant District Attorney Bell was the gentleman who made the statement.

The Recorder—I have no other remarks to make to you. I give you the law as I understand it, and you are to depend upon my construction of it and not upon that of the District Attorney.

The Grand Living Attorney. ney or an Assistant District Attorney informed us we

are to depend apon my construction of it and not upon that of the District Attorney.

The Grand Jury then retired. The remarks of His Honor croated a profound sensation throughout the building. In Part 2 of the Court of General Sessions the trial of Enoch O. Coe for maintaining a unisance was proceeding, at which were presont Professor Chandler and other members of the Board of Health, awaiting the result of the case. It is generally expected that, in view of the action of Recorder Hacket, the Grand Jury will find an indictment against the Health Commissioners.

What MR. BELL THINKS.

Assistant District Attorney Best, on being interrogated about the matter, said that what the foreman of the Grand Jury had said was true. He believed the Grand Jury had the right to summon witnesses from may source that would enable them to gain additional light upon the subject of their inquest. He had irequently given this as his opinion and even had prisoners summoned from the Tombs to appear before the Grand Jury. He believed they had a perfect right to summon the President of the Board of Health or any person before them from whom they have reason to think any important information may be obtained.

Changier and other members of the outer the control states waiting the result of the case. It should be controlled the control states are the formed states and the formed state

Assistant District Attorney Bell replied for the prosecution, and, after alluding to the importance of the case, urged that the evidence clearly piaced the responsibility of misintaining a nuisance at the place complained of on the accused.

Judge Gildersleeve then charged the jury on the law bearing on the question at issue, concluding his remarks as follows:—'I have endeavored to instruct you as to the law applicable to this case, and given you the best assistance at the command of the Court to enable you to bring that cause to a result. It individuals persist in generating noteome and offensive smells that imprognate the air that the inhabitants of this great city are obliged to breath the only remedy is in the verdict of a Jury. With you rests no orunnary responsibility. I think I need not caution you not to permit the character of the offence charged or public clamor to supply any defect of evidence. You must view the case with the intellectual eye and not through the medium of the passions. dence. You must view the case with the intersection eye and not through the medium of the passions. The evidence you have listened to in this court room must centrel your verdict. Mete out impartial justice, both to the individual on trial and to the so-The jury then reured, and siter an absence of about ten minutes returned with a verdict of guity. On monion of Colone: Follows judgment was sus-pended until to-day.

FIFTH AVENUE PAVEMENT. Compiroller Kelly yesterday approved the sureties of Jeremiah H. Byron, who has contracted to pave

Fifth avenue, from Fifty-ninth to Seventy-second street, with trap block payenent, for the sum of \$20,650. The sureties named are Daniel Hickey and John H. Byron. THROWN FROM HIS BUGGY. Mr. Noab D. Russell, a carriage manufacturer, of

Newark, N. J., was thrown from his buggy yesterday, and, it is leared, fractured his skull. ATTEMPTED SUICIDE.

John Clancey, seventy years of age, attempted suioldo yesterday, by cutting his throat, at his residence, No. 17 Tenth avenue.

MARRIAGES AND DEATHS.

MARKIED.

CONNLING—Chivvir.—On Monday, May 6, at the West Presbyterian Church, by the Rev. Thomas S. Hastings, Wm. H. Conkling to Many A., daughter of the late Peter Chivvis, and of this city.

LAMBERT—TALMADOR.—On Thorsday, May 23, 1878, at the residence of the bruce's parents, by Rev. M. S. Huttos, D. D., William Lambert to Fannie R. S., only daughter of Henry fairmange, Esq., alloi this city.

LOVELL—ALEN.—Terescay, May 21, at Classon Avenue Presbyterion Church, Brooklyn, by Joseph T. Duryoa, D. D., Edward J. Lovell to Amanda D. Allen.

Menbattan av., near Meserole, Greenpoint, on Friday, May 24, at hail-past two P. M.
ARRYR. -On Thursday, 23d inst., Cornella S., wits of Stephen D. Arents, in her 55th year.
The luneral will take place on Sunday. 25th tinst., at hail-past one o'clock P. M., at St. Paul's Mothodist Episcopal Church. Fottenwile, S. I. Relatives and friends invited without further notice. Boat leaves foot Whitehalist, at eleven A. M.
BARTLETT. -On May 22, Captain Charles W. Bartlett, aged 56.
Remains taken Eist.
BYRGESS. -On Wednesday, May 22, Anigall, widow of Philip Burgess, in the 17th year of her age.
Faneral Friday, one o'clock, from 261 3d st., Jersey City.

City.

BURKLE.—At Quarantine station, Staten Island, May 20 (was accidentally drowned), Francis Burkle, aged 35 years, 8 months and 23 days.

Funeral services will take place on Friday, the 24th inst., at his late residence 329 East 28th st., at one o'clock P. M., and at Odd Fellows' Hall, corner of Grand and Courte ats., at two P. M. Friends and relatives are respectivily invited. Interment in Greenwood Cemetery.

tery.

BURLINSON.—ROBERT BURLINSON, a native of Darlington, county Durham, England, 77 years of age.

The funeral will take place from the residence of
his son, 307 East 51st st., at ten A. M. and thence to
the Churen of St. Vincent Ferrer.

Durham (England) papers please copy.

Casey.—At 250 10th av., Valenting Casey, aged 21
years.

Years.

Funeral on Sunday at two P. M.

COMMERCORD. —JOHN COMMERCORD, in the 78th year

yess.

Funeral on Sunday at two P. M.
COMMERORD.—John COMMERORD, in the 78th year of his age.

The friends are requested to attend his funeral, from 414 West 224 st., Saturday, eleven o'clock.
COONEY.—On Wednesday, May 22, at No. 363 Macor st., Brooklyn, Mary Anne Davis. Wife of Michael Cooney, formerly of Albany, aged 71 years.

Funeral from the Church of Our Lady of Victory, corner of McDosough st. and Throop av., at three c'clock P. M., on Friday, May 24. Friends of the family and of her sons, John, George W. and Richard M., are invited.

Dond.—On Tuesday, May 21, William Dodd, in the 58th year of his age.

Relatives and friends of the family are invited to attend the funeral, from his late residence, 242 West 518ts., on Friday, May 24, at 10 A M.

Drew.—On Wednesday, May 22, at his residence, in the town of Now Lots, John Drew, in the 97th year of his age.

Relatives and friends are invited to attend the funeral, from his late residence, on Friday, May 24, at two o'clock P. M., without further notice.

Dwinklik,—At Andrelle, N. C., on the 23d inst., of consumption, Charless A. Dwinkle, of this 52, is the 19th year of his age.

Notice of inneral hereafter.

Fraser.—On Wednesday, May 22, Alpred S. Fraser, aged 55 years.

Funeral services at his late residence, No. 134 West 44th st., on Saturday, at eleven A M. No flowers.

Gallaghed.—On Thursday, May 23, John Gallaghth, to no Saturday, May 23, john Gallaghth to attend. The remains will be conveyed to South Amboy, N. J., for interment.

Garrierson.—At East New Brunswick, Wednesday, May 22, of typius fever. Connected to the family are invited to attend. The remains will be conveyed to South Amboy, N. J., for interment.

Garrierson.—At East New Brunswick, Wednesday, May 22, of typius fever. Connected to the funeral, on Saturday, May 25, at heal-past time o'clock A. M. Relatives and friends of the family are invited to attend. The remains will be conveyed to South Amboy, N. J., for interment.

Garrierson,—At East New Brunswick, Wednesday, May 22, imonths.

Relati

P. M.
GORHAM.—On Wednesday morning, FANNIE E.
GORHAM, youngest daughter of the late Samuel and
Ellen Gorham.

GORHAM.—On Wednesday morning, FANNIE E. GORHAM. youngest daughter of the late Samuel and Ellen Gorham.

Funeral will take place from her sister's, Mrs. Anthony Moguet, on Saturday morning, at nine o'clock, from 116 East 28th at.

Haskitt.—On Thursday, May 23, Isabella S., daughter of William H. and Esther Haslott.

Notice of funeral hereafter.

Huston.—In Brooklyn, the 22d inst., Dankel Huston, in the 83d year of his age.

Friends are invited to attend his funeral, from his late residence. 233 Penn st., Brooklyn, E. D., on Saturday, May 25, at wo I'. M.

Lawrence.—At 9 Vandam st., New York, Sophia Lawrence, age 46 years.

The relatives and friends of the family are respectivily invited to attend the funeral, from St. Ambrose Church, corner Prince and Thompson sts., on Friday, 24th inst., at one o'clock, without further notice.

Lawrence.—At Greenpoint, May 22, Elizabets Lawrence, in the 18th year of her age.

The relatives and friends are respectfully invited to attend her funeral, from the residence of her son, George Lawrence, at the corner of Eckford and Nassen aw., at two o'clock Friday, the 24th.

Lestin.—On Thursday, May 23, after a lingering liness, Scipio L. Lastin, youngest son of Frank Lestle, in the 324 year of his age.

Notice of funeral herealter.

Lyman.—At the residence of her nephew, C. P. Van Brunt, Moscow, Pa., May 15, Mary L. Lyman, sister of Harriet Lyman, formerly of 207 Washington av., Brooklyn.

Interred at Moscow, Pa.

Brooklyn.
Interred at Moscow, Pa.
Interred at Moscow, Pa.
Maloxx.—May 22, 1878. Mrs. Excline Maloxx, in
the 69th year of her ago.
Fuueral from her late residence, 370 Clermont av.,

Spectfully invited.

Stanton.—At Monroe, N. Y., Thursday, May 23,
HARRY, only son of Henry and Lizzie Auld Stanton,

STANON.—AI MOBFOC, N. Y., Thursday, May 23, Arrey, only son of Houry and Lizzie Auld Stanton, aged 14 months.

Funeral services from the residence of Mrs. J. B. Auld, 184 Division av., Brooklyn, Saturday, May 25, at ten o'clock A. M.

Calliornia papers please copy.

Seller.—On Thursday evening, at six o'clock, Carolins, beloved wife of Emanuer Sellor and mother of Mrs. Louis Lavanburg, in her SSa year.

Puneral notice herculter.

SEITH.—On Wednesday, 22d inst., after a lingering lilness, Anuslans E., daughter of Aifred C, and Frances M. Smith.

Relatives and friends are respectfully invited to attend the funeral, without further notice, at the residence of her lather, 129 West 42d st., Saturday, 25th inst., at hall-past one P. M.

STILWELL.—Mary Jane, on Wednesday, May 21, aged 62 years.

Relatives and friends of the family are invited to attend the funeral, on Saturday, two o'clock, at the Reformed Church, Holmdale, Monmouth county, N. J.

St. Jostn.—Thursday morning, in Harley.

tond the funeral, on Saturday, two o'clock, as the Reformed Church, Hoimdale, Monmouth county, N. J.

St. John. — Thursday morning, in Harlem, Kara St. John, in the 324 year of her ago.

Notice of funeral heresiter.

Straus. — On Wednesday afternoon, 22d inst., Mrs. Reas Straus, relied of Jacob Straus.

Relatives and friends are respectively invited to attend the funeral, from her late resicence, 109 Sullivanst, this (Friday) morning, at ten o'clock.

SCELIVAN. — In Ruthofford Park, N. J., May 23, 1878, Carmering, widow of the late David Sullivan, at the residence of one son, Patrick Henry Sullivan, Notice of funeral to-morrow.

SWERNY—In Brooklyn, Wednesday, May 22, Mart M., clicat daughter of James M. and Mary M. Sweeny, aged 44 years.

The tuneral will take place from hor late residence, 284 Jay st., on Saturday morning, at ten o'clock, to St. James' Cathedral, where a solemn register mass will be celebrated. Interment in Galvary.

Van Dan.—In Brooklyn, on Thursday, 234 inst., aiter a short lilines, Eliza Van Daw.

The relatives and friends of the Lamily are invited to attend the funeral, from the residence of the late J. W. Manley, 377 Pearl st., on Saturday, 25th linst, at three o'clock P. M.

Vanderner. — May 22, Charles W. Vanderner.

MARRIED.

CONKLING—CHIVVER—On Monday, May 6, at the West Presbyterian Church, by the Rev. Thomas S. Hastings, W.M. H. CONKLING to MANY A., daughter of the city Peter Chivves, and of this city.

Lambert—Talmadue.—Un Thursday, May 23, 1878, at the residence of the bride's parents, by Rev. M. S. Huttoon, D. D., William Lambert to Fannie R. S. colly daughter of the bride's parents, by Rev. M. S. thutton, D. D., William Lambert to Fannie R. S. colly daughter of Henry Talmadge, E.G., allof this city.

Lovell—Allen.—Tuesday, May 21, at Classon Avenue Presbyterian Church. Brocklyn, by Joseph T. Duryca, D. D., Edward B. Lovell to Amanda D. Allen.

Died

Abrams.—On Tuesday, May 21, stans G. Abrams, aged 48 years, 2 month and 21 days.

Functial from the Union Avenue Badtist Church.

Functial from the Union Avenue Badtist Church.

Finger al from the Union Avenue Badtist Church.